

#4

Atty's Dkt: WALLACH32

In re Application of:	) Application Division
David WALLACH	) ATTN: PCT
Serial No. 10/511,722	) Washington, D.C.
IA Filing Date: April 15, 2003	) Confirmation No. 2522
For: DERIVATIVES OF THE IL-2 RECEPTOR GAMMA ...	) Date: June 22, 2005

**LATE SUBMISSION OF DECLARATION AND/OR TRANSLATION IN APPLICATION FILED UNDER 35 USC 371**

U.S. Patent and Trademark Office  
Customer Service Window  
Randolph Building, Mail Stop Missing Parts  
401 Dulany Street  
Alexandria, VA 22314

Sir:

The present communication is in response to the "NOTICE OF MISSING REQUIREMENTS UNDER 35 USC 371..." dated April 22, 2005. Attached hereto is/are:

- [XX] An executed oath or declaration in compliance with 37 C.F.R. 1.63, identifying the present application by title and priority information.
- [XX] A Preliminary Amendment      [XX] Fees are reduced due to elimination of claim multiple dependencies.
- [XX] Copy of the "Sequence Listing" in computer readable form (CRF) and statement that contents of the CRF are the same as the paper copy.
- [XX] Additional fees as calculated below:

[ ] Basic fee			
Surcharge of \$130.00 for furnishing the oath or declaration later than [ ] 20 [XX] 30 months from the earliest claimed priority date (37 CFR 1.492(e)).			\$130.00
Number of each additional 50 pages or fraction thereof (round up to a whole number)		RATE	
		X \$250.00	
Number of Claims Previously Paid For	Number of Extra Claims	Rate	
40 - 20 =	20	X \$ 50.00	\$1,000.00
7 - 3 =	4	X \$200.00	\$800.00
Multiple Dependent Claims (if applicable)		+ \$360.00	\$
<b>TOTAL OF ABOVE CALCULATIONS</b>			<b>\$1,930.00</b>
Reduction of 1/2 for filing by small entity, if applicable. Applicant claims small entity status. See 37 CFR 1.27.			<\$ >
<b>SUBTOTAL</b>			<b>\$1,930.00</b>
Processing fee of \$130.00 for late furnishing of the English translation.			\$
<b>TOTAL NATIONAL FEE</b>			<b>\$1,930.00</b>

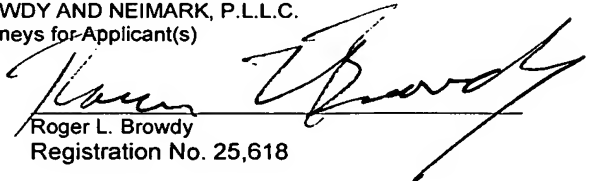
- [XX] Total fees enclosed: \$ 1,930.00
- [XX] Credit Card Payment Form, PTO-2038, authorizing payment the amount of \$ 1,930.00 is enclosed to cover the above fees.
- [XX] Conditional Petition for Extension of Time:  
If any extension of time for a response is required, applicant requests that this be considered a petition therefor.
- [XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR 1.16 and all patent processing fees under 37 CFR 1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR 1.18.

06/24/2005 MKAYPAGH 00000083 10511722

01 FC:1617	130.00 OP
02 FC:1615	1000.00 OP
03 FC:1614	800.00 OP

RLB:ses  
G:\BN\Inl2\Wallach32\PTO\missingnationaltransmittal\Exclaims.doc

BROWDY AND NEIMARK, P.L.L.C.  
Attorneys for Applicant(s)

By:   
Roger L. Browdy  
Registration No. 25,618



UNITED STATES PATENT AND TRADEMARK OFFICE

Rec'd PCT/PTO

22 JUN 2005

VEDA,

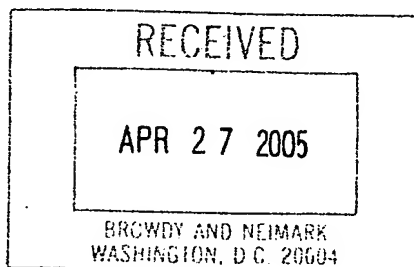
UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/511,722	FIRST NAMED APPLICANT David Wallach	ATTY. DOCKET NO. WALLACH32
---	--	-------------------------------

INTERNATIONAL APPLICATION NO. PCT/IL03/00316
---

IA. FILING DATE 04/15/2003	PRIORITY DATE 04/18/2002
-------------------------------	-----------------------------

1444  
 BROWDY AND NEIMARK, P.L.L.C.  
 624 NINTH STREET, NW  
 SUITE 300  
 WASHINGTON, DC 20001-5303



CONFIRMATION NO. 2522  
 371 FORMALITIES LETTER



\*OC000000015818178\*

Date Mailed: 04/22/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 10/18/2004
- Copy of the International Search Report filed on 10/18/2004
- Copy of IPE Report filed on 10/18/2004
- Biochemical Sequence Listing filed on 10/18/2004
- Request for Immediate Examination filed on 10/18/2004
- U.S. Basic National Fees filed on 10/18/2004
- Priority Documents filed on 10/18/2004

MSP/SEQ/PREL AND = 22 JE 2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of **\$13110** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- **\$130** Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$13240** for a Large Entity:

- **\$130 Late oath or declaration Surcharge.**

- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

- Total additional claim fee(s) for this application is \$ 13110

- \$6600 for 33 independent claims over 3.
- \$6150 for 123 total claims over 20.
- \$360 for multiple dependent claim surcharge.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

BARBARA A CAMPBELL

Telephone: (703) 308-9140 EXT 217

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/511,722	PCT/IL03/00316	WALLACH32